

County of San Luis Obispo



State Legislative/Regulatory Platform
2011-2012 2012 DRAFT



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TABLE OF CONTENTS

<u>INTRODUCTION</u>	<u>3</u>
<u>LEGISLATIVE GOALS</u>	<u>5</u>
<u>SECTION 1. SAN LUIS OBISPO COUNTY SPECIFIC ISSUES</u>	<u>8-15</u>
Transportation, Public Works, Planning and Agriculture	8
General Government	11
Public Safety	
<u>SECTION 2. SHARED LEGISLATIVE PRIORITIES</u>	<u>16-29</u>
Transportation, Public Works, Planning and Agriculture	16
Health and Human Services	18
Law and Justice	24
General Government	26

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San Luis Obispo County
2012 Legislative Platform

INTRODUCTION

In order to reflect the priorities of the County, the 2012 Legislative Platform is divided in two sections:

- **SAN LUIS OBISPO COUNTY SPECIFIC ISSUES** – issues the County will actively pursue that directly affect the County.
- **SHARED LEGISLATIVE PRIORITIES** – issues the County will actively pursue that directly affect the County as well as other jurisdictions; divided in the Platform by each of the four functional areas of county government: Community Resources and Infrastructure, General Government, Health and Human Services, and Law and Justice, then sorted by priority.



LEGISLATIVE GOALS

The San Luis Obispo County Board of Supervisors acknowledges the severity of the State's ongoing budget crisis. However, the Board seeks to maintain State funding levels of local government programs to the furthest extent possible. Additionally, the Board seeks to maintain close relationships with San Luis Obispo County's legislative delegation and key legislative leaders to foster greater understanding of San Luis Obispo County's concerns and needs.

The primary goal of San Luis Obispo County's Board of Supervisors and its employees is to serve and support the well-being of its residents; San Luis Obispo County government is dedicated to enhancing the economic, environmental, and social quality of life in the County. To this end, in ~~2011~~2012, the San Luis Obispo County Board of Supervisors supports the general principles set forth below. County staff, including the County's legislative advocates, will apply these general principles to evaluate legislation, as well as executive and regulatory directives, and take those actions necessary for their implementation.

1. Seek and support a Constitutional Amendment which will provide secure, adequate and ongoing funding sufficient to counties to cover the costs and responsibilities of enacting the 2011 Public Safety and Health and Human Services realignments.

~~1.2. Oppose efforts by the Governor and the Legislature to suspend Proposition 1A again or to contrive a budget mechanism to take local revenues, including property tax dollars, in order to balance the State Budget. Should the Legislature elect to suspend Proposition 1A, seek legislation authorizing the securitization of those funds in order to assist counties mitigate the impacts of the suspension.~~

~~2.3.~~Support legislative or initiative efforts which would modify the vote threshold requirement local voter-approved gasoline and sales taxes from two-thirds to 55%.

~~3.4.~~Preserve San Luis Obispo County and other local revenues and funding sources from further reductions, especially those that would directly impact the County's ability to serve its residents; support legislative and policy initiatives that maintain funding levels for public health and safety programs.

~~4.5.~~Support increased appropriations to the County for mandated programs, including capital acquisition costs. Oppose mandates without revenue and/or unnecessary State mandates. Oppose the transfer of additional state programs to the County, unless adequate, secure and on-going revenues are provided by the State.

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San Luis Obispo County
2012 Legislative Platform

- 5-6. Support legislation that allows maximum flexibility to local governments to effectively and efficiently administer state-mandated programs and provides local government additional protection from state mandates that attempt to micromanage local affairs.
- 6-7. Support legislation that 1) modernizes the State budget process to reflect the best practices in state financial management from across the country. Seeks with changes made made to make the process more transparent, accountable, and responsive to the citizens of California. ~~and continues the fiscal reform efforts in California State Government to assure San Luis Obispo County the financial independence necessary to provide services to its residents and meet its mandated responsibilities.~~
- 7-8. Encourage and seek legislation that protects, and preserves and promotes the County's quality of life, its diverse natural resources, its economic base, and preserves the character and history of the County.
- 8-9. Encourage and seek legislation that facilitates orderly economic expansion and diversification and increases the opportunity for discretionary revenues and programmatic and financial flexibility for the County.
- 9-10. Support the County's authority to assure mutually acceptable tax sharing agreements for annexation, and incorporation ~~and redevelopment~~ that protect or enhance the County's ability to provide services to its residents.
- 10-11. Support legislation that: 1) encourages cooperation between the County and its cities, special districts, and other local agencies in efforts to develop regional plans, programs and initiatives and 2) facilitates regional cooperation on issues of community-wide and regional concerns.
- 11-12. Support the principles adopted by the California State Association of Counties (CSAC) where they are consistent with the principles and priorities identified by the San Luis Obispo County Board of Supervisors.



SECTION 1: SAN LUIS OBISPO COUNTY SPECIFIC ISSUES

Transportation, Public Works, Planning, and Agriculture

A. Problem: Dreissenid mussels, which include Zebra and Quagga Mussels, and other invasive aquatic species, are infiltrating water bodies and being transported throughout the nation by various vectors, including recreational vessels. Invasive aquatic species existence in water bodies poses economic strain on operating agencies by increasing the frequency of maintenance required by water delivery and storage facilities, among other impacts. If invasive aquatic species are introduced into local water bodies, the budgetary and operational consequences will be significant. Furthermore, there is no state-sponsored eradication or monitoring program; meanwhile, 26 of California's approximately 400 lakes are impacted by dreissenid mussels and the spread will go unchecked until the State addresses this growing and serious concern.

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Resolution: Sponsor and support legislation authorizing counties to impose a registration fee on all watercraft registered in the County, in order to fund local efforts to inspect and monitor watercraft entering county lakes and rivers. Ensure that such legislation provides direct funding to local agencies to implement these programs, and ensure that funding is not used to supplant state funding that has been cut. Encourage the California Department of Fish and Game (CDFG) to reprioritize existing programs and appropriate funding on mussel prevention programs to lakes which are not yet infected. Support the imposition of a fee to be collected specifically for the development of mussel inspection and decontamination stations whereby a permit to launch on an uninfected water body is mandated. Furthermore, if a watercraft leaves a water body that is infected, then a decontamination process must be implemented on the watercraft before it leaves the area.

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A.B. Problem: The residents of San Luis Obispo County, as well as tourists and business people, travel highways 41 and 46. These highways fall far short of the necessary capacity, safety, and convenience warranted by the traffic volume.

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Resolution: Support language in legislation appropriating Proposition 1B funds for improvements on these two vital traffic arteries to and from San Luis Obispo County.

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San Luis Obispo County
2012 Legislative Platform

B.C. Problem: In developing a community wastewater project for Los Osos, the County recognizes that project costs are certain to exceed affordability guidelines established by regulatory agencies. Nevertheless, development of a community wastewater project is necessary to comply with Clean Water Act mandates.

Resolution: The County has identified several measures to mitigate affordability impacts, either through the reduction of the overall project costs or by targeting financial assistance to disadvantaged persons. The following legislative actions will enhance the County's ability to address affordability impacts.

- 1) Advocate for the State Water Board to develop 1) a 30 year repayment program and a zero percent interest program, and 2) for State Revolving Fund loans to projects serving disadvantaged communities and projects where the cost of regulatory compliance exceeds affordability standards established by regulatory agencies.
- 2) Advocate for the award of Integrated Regional Water Management Program funds and other grants for use in mitigating affordability impacts resulting from the Los Osos sewer problem.
- 3) Sponsor or support special legislation to implement design-build public contracting in accordance with State Water Board/State Revolving Fund guidelines and the Design Build Institute of America (DBIA) manual.
- 4) ~~Sponsor or support special legislation to provide the County Board of Supervisors with discretion to establish a rate discount program for disadvantaged persons.~~

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C.D. Problem: San Luis Obispo County has substantial rural-suburban residential development and therefore seeks to more effectively manage and control increasing traffic volumes on what remains of a relatively rural road system. Currently, with the layout of one to two acre residential developments, the "Residential District" criteria of 16 residential units fronting over a quarter mile distance cannot be attained. This means that many county roads fail to meet the criteria in current law for a prima facie 25 mph residential district posting and as a result, speed limits are required to be posted at 45, 50 or even 55 mph on suburban streets with residential lots and suburban uses present.

The County has exercised the discretion allowed under Vehicle Code Section 627 in the development of an Engineering and Traffic Survey for consideration of collision history and pedestrian and bike safety. The results still fall short of what could be a more controlled speed along these developed roadways. The Board's

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San Luis Obispo County
2012 Legislative Platform

concern is to assure safety on these narrow rural roadways which are traversed by vehicles, bicyclists, pedestrians and equestrians; all sharing the road.

Resolution: Amend Vehicle Code Section 22352 "Prima Facie Speed Limit" to include an additional category for roadways which are suburban in nature. The amendment would establish a 40 mph maximum speed limit on streets with densities of at least eight residential units fronting the street over a one quarter mile distance. Seek administrative relief, where available, to achieve reduced speeds on these roads.

D.E. Problem: The procurement process for transportation projects has not been updated in many years, and is not indexed to inflation, which creates artificially low thresholds.

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Resolution: Sponsor or support legislation to increase construction contract limits of \$10,000, \$30,000, and \$125,000 to reflect inflation costs and index those costs to inflation going forward.

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E.F. Problem: Increasing development around existing landfills threatens the ongoing operation of these landfills and their associated facilities as new property owners complain about operations they believe to be a nuisance.

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Resolution: Sponsor and/or support legislation which clearly establishes disclosure of existing landfill operations and their potential expansions during escrow of a real estate transaction. Similar to "The Right to Farm Act" (California Civil Code sections 3482.5 and 3482.6), potential legislation would identify landfill activities as not a nuisance and require new properties owners to sign a disclosure acknowledging they are purchasing property within the vicinity of an existing landfill.

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G. Problem: Land in agricultural production along the Arroyo Grande Creek levees are an important local resource. In 2001, a levee breach flooded agricultural land, and it is reasonable to assume a major flood event could cause a levee breach and flood agriculture again. The levee system was deemed to be past its useful life in 2009 and does not provide the original flood protection it was designed for. A levee breach would have significant economic impacts to the local community. Crop insurance does not fully recover losses, and in many instances it is unavailable or not provided for certain crops. The County of San Luis Obispo desires to have the farmers and property owners within the agricultural region protected, via insurance, to the highest extent possible should a breach occur. Farmers and property owners in the area have expressed it is costly, difficult and sometimes impossible to obtain adequate insurance coverage.



Resolution: Sponsor and support legislative changes to ag-related insurance programs to cover more crops and cover more losses. Encourage Congress to make changes to the National Flood Insurance Program that would establish flood zones for agriculturally-based communities and allow for certain ag-related development. Additionally, encourage Congress to allow for adjusted rates based on actuarial risk, thereby lowering base rates in areas of lower risk.

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Health and Human Services

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A. Problem: Governor Brown is proposing a Phase 2 realignment, which is predicated on savings from the implementation of federal healthcare reform. There are no new revenues at the State level associated with Phase 2 realignment. San Luis Obispo County has historically exceeded state requirements in funding certain health and human services programs. However, in the implementation of Phase 2, it is critical that the County is not punished for its historically strong financial support for certain state-mandated health and human services programs.

Resolution: Seek equitable and fair treatment of San Luis Obispo County in the calculation of any Phase 2 funding formulas and responsibilities. Ensure that the County is not adversely impacted or financially punished for being historically supportive of health and human services programs included in Phase 2 realignment.

General Government

A. Problem: As of 2009 legislation Community Service Area (CSA) law does not allow the collection of delinquent "property related fees and charges" (water and sewer rates) on the tax roll when the property owner is not the water/sewer customer, causing significant loss of revenue for services provided.

Resolution: Sponsor and/or support legislation re-establishing CSA law to allow the collection of delinquent "property related fees and charges" (water and sewer rates) on the tax roll regardless of whether the account is in the name of the property owner or tenant.

B. Problem: There is a very limited pool of Agricultural Commissioners in California due to the dual certifications required of persons who hold the



San Luis Obispo County
2012 Legislative Platform

position. There is no flexibility in current statute to appoint an individual with some or most of the necessary qualifications, and allow some grace period to obtain all necessary certifications of an Agricultural Commissioner.

Resolution: Seek and support legislation which gives a Board of Supervisors more flexibility in appointing Agricultural Commissioners, by authorizing the appointment of a Commissioner who has obtained some or most of the qualifications and certifications necessary, and will obtain or complete those qualifications within a specified period of time.

- C. **Problem:** The preservation of agricultural land is vital to the County's future economic stability and the sustenance of agriculture as a viable industry in San Luis Obispo County.

Resolution: Support legislation and budget action to restore the Williamson Act subventions to their highest historical levels. Support legislation to establish uniform statewide enforcement of the Act; specifically to increase the County's authority to enforce the provisions of the Williamson Act. Continue to oppose any effort to repeal the Williamson Act or eliminate or reduce the property tax subvention for Williamson Act contracts.

- D. **Problem:** Recent state efforts to promote and regulate the siting of renewable energy power facilities conflict with local land use authority. Currently, oversight and land use related to the siting of renewable power, except thermal power plants, greater than 50MW, is appropriately under the jurisdiction of the local land use agency.

Resolution: Support legislation which retains current local land use, siting authority and final approval of renewable energy plants at the local level. Oppose any legislative or administrative action which seeks to subsume this authority and give it to the State, or cedes authority to an investor owned utility. Oppose legislative or administrative action which would result in discouraging local distributed generation or local ability to set terms and conditions over siting.

- E. **Problem:** There are insufficient regulatory and financial incentives to promote residential and/or commercial scale renewable energy projects, such as roof-top solar. Regulatory and financial barriers prevent small scale renewable projects from being developed.

Resolution: ~~Seek and support legislation and regulatory proceedings which would encourage and incentivize residential and/or commercial production of renewable energy, the installation of rooftop solar power, and energy efficiency and renewable projects on a residential and /or commercial scale.~~

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San Luis Obispo County
2012 Legislative Platform

Seek and support legislation which establishes and incentivizes a feed in tariff for renewable energy. Seek and support legislation which ensures that sunlight exposure for residential solar installations is protected from future development that may otherwise impede access to sunlight. Seek and support legislation and regulatory proceedings which encourage and incentivize renewable energy, such as rooftop solar power, and energy efficiency on a residential, commercial and community scale. Specifically support the following actions:

1) Offer Financial Incentives & Financing Options—The Public Goods Charge needs a guarantee of long-term funding for renewable energy and efficiency programs that lower utility bills in our communities and help meet local and state environmental goals. Energy efficiency and small-scale renewable projects should be financially supported with rebates, on-bill financing, loan guarantees, and low-interest loans. Efficiency programs need to greatly expand whole building retrofits, net-zero energy buildings, and community clean energy projects and programs.

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2) Establish Feed-in Tariffs for Small-Scale Renewables—The state should establish through legislation a feed-in tariff for small-scale renewable energy projects with sufficient payments to recover the cost of generation plus a modest profit to incentivize development. Payment rates should be differentiated by technology and project size, with a separate schedule of higher payments for government agencies, schools, and non-profit organizations that cannot take advantage of federal tax credits—similar to the higher rebates currently offered through the California Solar Initiative for non-taxpaying customers. This would allow local public agencies, as well as individuals and businesses in our communities, to be paid for generating clean, renewable energy and to benefit financially from the state's renewable energy policies.

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3) Expand Net Metering—Net metering allows utility customers in California to get a credit on their bill for energy that they produce with their own small-scale renewable energy projects. The state currently has a program cap limiting net-metering to 5% of the utilities' peak loads, which is expected to be reached starting next year. The state urgently needs to increase this cap to 10% of the utilities' peak loads to save thousands of jobs in the state and for insuring that small-scale renewable energy continues to thrive in our communities. Net metering should also be expanded to allow customers to participate in "solar shares" projects that are not physically connected to a customer's meter. Above all, the state must not allow utilities to impose excessive charges that would destroy the net metering program.

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4) Protect Solar Access—Legislation should be created to ensure that sunlight exposure for residential solar installations is protected from future development that may otherwise impede access to sunlight. And regulatory agencies should insure low-cost, fast and efficient grid interconnection for all small-scale renewable energy projects.

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- F. **Problem:** AB 32 (Nunez) and SB 375 (Steinberg), -both which deal with the control of emissions of greenhouse gases, are examples of significant and impactful legislation which the County intends to implement. However, these directives create expensive, unfunded mandates for local jurisdictions. The cost and time associated with implementing this legislation will be significant to the County.

Resolution: Seek and support full funding for the implementation of the mandates included in AB 32 and SB 375, and any future legislation.

- F.H. **Problem:** Current statute prohibits a Board of Supervisors from being able to implement a sales tax increment in the unincorporated area of the county only in order to fund vital services, such as police and fire services in the unincorporated area.

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Resolution: Sponsor/support legislation which authorizes a Board of Supervisors to submit a sales tax increase to the voters in the unincorporated area only of a county for their approval.

- G.I. **Problem:** As a result of the Senate District 15 Special Elections held in June and August 2010, San Luis Obispo County incurred over \$800,000 in expenses which have not been reimbursed by the State.

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Resolution: Sponsor/support legislation or budget language that will provide full reimbursement to the County for the Senate District 15 special elections. Support legislation which will provide for the automatic reimbursement of costs associated with state and federal special elections.

PUBLIC SAFETY

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Problem: —There is limited group homes ~~no facility~~ located in San Luis Obispo County where a juvenile offender can be placed, which means that the County must send offenders out of county. Doing so places strains on family relationships and is costly to the County. Interested parties from Operation Coyote (Concentrate on You) have indicated a willingness to establish a sports-camp styled juvenile home program, but have been informed that the Operation COY program is not

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San Luis Obispo County
2012 Legislative Platform

compatible with current **group home** statutes and regulations which govern the operations of such programs.

Resolution: Sponsor legislation which provides regulatory and statutory relief, on a pilot basis, for Operation COY to establish and run a juvenile offender camp located in San Luis Obispo County.



SECTION 2: SHARED LEGISLATIVE PRIORITIES

Transportation, Public Works, and Planning and Agriculture

- A. **Problem** The United States Environmental Protection Agency has mandated minimum measures for the control of urban storm water, pursuant to the National Pollutant Discharge Elimination System developed as part of the Federal Clean Water Act. In order to comply with the Federal mandate, the State Water Resources Control Board has developed Statewide General Permits for both municipalities and new construction. The requirements contained in these permits exceed the federal mandate in numerous areas. In addition, Regional Water Quality Control Boards are given leeway to modify (increase) the statewide requirements with no oversight. In all cases, and despite the Federal mandate to consider the costs of implementation, neither the State Board nor Regional Boards provide additional funding or include realistic limits on the costs of compliance to local agencies.

Resolution Support legislation that prevents the State and Regional Boards from adopting statewide or region-wide permits that exceed federal clean water mandates without program-specific legislation and without full funding.

- B. **Problem:** The cost to produce a CalTrans Project Summary Report (PSR) for a transportation project can become a significant financial drain on the overall cost of the project and waste scarce funding on administrative hurdles instead of construction materials and jobs.

Resolution: Sponsor or support legislation which would increase the ability of a CalTrans District Director to approve projects without a PSR to \$5 million.

- C. **Problem:** CalTrans interchange capacities are not currently defined as a State route concern (i.e. not a local development issue).

Resolution: Support legislative and administrative actions which would increase responsibility and accountability for CalTrans to prepare their own CalTrans Project Summary Report (PSRs) for interchanges.



San Luis Obispo County
2012 Legislative Platform

- D. **Problem:** CalTrans is not required to complete corridor planning for State highways.

Resolution: Seek legislative or administrative actions which would direct CalTrans to complete master plans which dictate the future configurations needed (i.e. 4-lanes vs 6 lanes on US 101 or SR 46 freeway vs expressway.)

- E. **Problem:** ~~Legislative efforts to close the State's ongoing budget deficit has repeatedly produced The California State budget deficit is resulting in the consideration of~~ proposals that would "take" gas tax and other revenues that have been previously allocated to counties and restricted for road purposes. ~~to help reduce the State budget deficit.~~ If approved, the revenue shift will substantially reduce ~~R~~road revenues and significantly impair the Public Works Department's ability to adequately maintain County roads.

Resolution: Oppose legislation and State budget proposals that "take" gas tax and other road revenues. Support legislation that ensures the preservation of road revenues, including proposals that may increase State transportation revenues in lieu of taking local revenues, and those that improve equitable funding of local maintenance needs

- ~~B.F.~~ **Problem:** Failure to fully disclose the actual identity and quantity of packaged commodities prohibits accurate value comparison for consumers and promotes unfair business practices among competing manufacturers.

Resolution: Support legislation which assures clear labeling and accuracy of the net quantity of packaged products to promote value comparison and to ensure the consumer receives the product and the quantity of product for which they pay.

- ~~E.G.~~ **Problem:** There have been recent attempts to pass legislation, such as SB 744 (Wyland, 2011), that would remove the authority of state and county sealers to test, verify and seal certain commercial weighing and measuring devices. Such exemptions would eliminate the protection provided by weights and measures officials to consumers and businesses that rely on accurate measurements to ensure proper payment for commodities actually purchased.

Resolution: Oppose legislation that would diminish or remove protections now afforded to consumers for transactions based on weighing and measuring devices.

- ~~D.H.~~ **Problem:** Weights and Measures Programs are important to businesses and consumers in California. Weights and Measures Programs ensure there is

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a “level playing field” for businesses and industries. Likewise, these programs are critical in providing protection for consumers and a method for making value comparisons when products are purchased by weight, measure, count or time. County Sealers must maintain the ability to recover the costs in implementing programs in order to provide protections to both consumers and merchants.

Resolution: Support legislation that would extend or eliminate the repeal date in the Business and Professions Code Section 12246 pertaining to Weights and Measures Device Registration Fees and oppose legislation that would prevent the collection of fees up to cost recovery for device testing and registration.

E-I Problem: The number of invasive pest species being introduced and detected in California is on the rise and these pests continue to threaten local agriculture, the environment and the community. Continued funding of pest exclusion, pest detection trapping and survey activities, rapid response, pest management and eradication, and public education outreach programs are critical in protecting our resources.

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Resolution: Support legislation that provides funding for pest prevention activities including pest exclusion, pest detection, pest management/eradication and public outreach for pests that threaten local agriculture, the environment and the community.

F-J Problem: Pest management and eradication programs are increasingly under review by federal and state agencies, and members of the public. Many projects are under scrutiny related to the biological basis under which they are implemented. Continued funding to evaluate the methods of pest management and eradication is important in ensuring that programs are implemented with sound, effective practices that provide safety to the environment and the public.

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Resolution: Support legislation and/or state and federal programs that would promote biologically-based and safe pest management/eradication activities implemented by the California Department of Food and Agriculture and County Agricultural Commissioners.

G-K Problem: A major source of funding for County Agricultural Commissioner’s Pesticide Use Enforcement programs is the pesticide mill fee imposed on the registrant at the first point of sale of a pesticide in California. In order to maintain the integrity and quality of the pesticide regulatory system, it is critical we support methods to maintain or increase funding through the mill fee assessment.

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San Luis Obispo County
2012 Legislative Platform

Resolution: Support legislation that maintains or increases funding through the pesticide mill fee that is sufficient for pesticide regulatory activities to protect the safety of workers, the public and the environment and provides funding for education, outreach and compliance assessment activities related to the safe use of pesticides.



SHARED LEGISLATIVE PRIORITIES HEALTH AND HUMAN SERVICES

Health and Human Services

A-B. **Problem:** Governor Brown is proposing a Phase 2 realignment, which is predicated on savings from the implementation of federal healthcare reform. There are no new revenues at the State level associated with Phase 2 realignment. San Luis Obispo County has historically exceeded state requirements in funding certain health and human services programs. However, in the implementation of Phase 2, it is critical that the County is not punished for its historically strong financial support for certain state-mandated health and human services programs.

Resolution: Seek equitable and fair treatment of San Luis Obispo County in the calculation of any Phase 2 funding formulas and responsibilities. Ensure that the County is not adversely impacted or financial punished for being historically supportive of health and human services programs included in Phase 2 realignment.

B-C. **Problem:** Parity between health and mental health does not yet exist in a meaningful way for consumers, despite recently approved legislation mandating parity.

Resolution: Work with stakeholders in the mental health community at the State level to ensure that true parity is achieved between mental health and health services.

C-D. **Problem:**—The costs associated with Institutions for Mental Disease (IMD) were not part of the original Realignment of services to the counties in 1991. Welfare and Institutions Code Section 14053.1 clearly establishes a state obligation to cover ancillary outpatient services, regardless of federal financial participation. The State has attempted to transfer all IMD ancillary responsibilities and federal audit risk to counties, without consideration of the potential for this constituting a new and unfunded state mandate.

Resolution: Seek full funding for IMD ancillary services from the State. Also, in the interim, seek administrative and/or legislative relief to counties



San Luis Obispo County
2012 Legislative Platform

regarding IMDs by ensuring that the audit functions and responsibilities appropriately are a function of state government.

~~D. **Problem:** When the 2010-2011 State Budget was sent to the Governor for his approval in October 2010, the Governor used his line item veto authority to eliminate funding for the AB 3632 program, which reimburses Counties for the costs of providing mental health services to school aged children who are referred to the County Mental Health department through the County Office of Education. This is a costly program for which schools bear no responsibility.~~

~~**Resolution:** Seek special legislation to immediately reinstate funding for this program; or seek relief to the counties for this costly unfunded mandate.~~

E. **Problem:** The increasing demand for services for children, youth and families exceeds the resources of local government and private non-profit agencies.

Resolution: Support legislation that:

1. Creates opportunities and incentives for collaboration between businesses, schools, government and private, non-profit agencies for improved services for children, youth and families;
2. Increases the quality of child care through annual visits by DSS/Community Care Licensing to subsidized, licensed exempt child care providers, including support of national accreditation activities and retention incentives, such as stipends to child care providers;
3. Creates opportunities for job mentoring for youth in businesses using tax incentives;
4. Advocate for universal health coverage for children or at least to provide more funding to get children insured under existing programs (increase support for Children's Health Initiative).

F. **Problem:** Access for low-income families and Medicare beneficiaries to primary medical care and specialty care services in the County is impaired as a result of inadequate reimbursement rates from Medicare, Medi-Cal, and the Healthy Families program.

Resolution: Support/sponsor legislation which:

- 1) Increases rates of reimbursement, consistent with rates available in other jurisdictions and costs experienced by efficient providers;



- 2) Extends "disproportionate share" subsidies (presently available to inpatient care providers) to providers who serve a disproportionate share of lower-income patients on an outpatient basis;
- 3) Provides reasonable reimbursement for acquisition of medications, such as chemotherapy agents, which are administered in physician offices;
- 4) Provides reasonable reimbursement rates for mental health and dental services for all age groups (children, adolescents and adults).

G. **Problem:** Proposition 10, also known as the California Children and Families Act of 1998, established a Children and Families Trust Fund (through surtaxes on the sale/distribution of cigarettes and other tobacco products) and established the guidelines for state and county agencies that administer these funds. Funding is intended to create and implement a comprehensive integrated system of information and services that improve the development of children from the prenatal stage to five years of age. It is the express intent of the Act to emphasize local decision making, to provide for greater local flexibility in designing delivery systems, and to eliminate duplicate administrative systems.

Resolution: Oppose legislation or budget action that hinders, alters, or restricts local control of the First Five Program in San Luis Obispo County. Oppose legislative or initiative proposals to use Prop. 10 funds for purposes other than those included in the initiative, including proposals to divert state or local Prop. 10 for purposes of balancing the State budget.

H. **Problem:** The Education Code specifically references the word "tested" instead of "screened" for tuberculosis (TB). This reference is now antiquated due to improvements in health care and screening processes for TB.

Resolution: Support legislation which updates the Education Code with the word "screened."

H-I. **Problem:** Obesity among the County's residents is a significant and increasing health problem with complex causes. Two key causes are (1) lack of physical activity and (2) unhealthy eating, but there are many underlying causes. Prevention efforts should address individual practices and environmental factors which limit our ability to make healthful choices. Modifying behaviors and environmental factors is challenging, but crucial. Establishing healthy lifestyles will translate into fewer cases of diabetes, stroke, heart attack, and obesity among children and adults, as well as reduced health care costs for chronic illnesses associated with being medically overweight or obese.

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San Luis Obispo County
2012 Legislative Platform

Resolution: Support funding and policy changes that reduce the prevalence of obesity, and increase opportunities for physical activity and healthful eating.

I.J. Problem: As political subdivisions of the State of California, counties carry out health care programs as contractors to and partners with the State. Counties incur legitimate increases from year to year in the cost of providing those services, and in most cases the State does not recognize those legitimate cost increases and fails to increase the flow of State revenue to counties to carry out those health care delivery services.

Resolution: Support legislation and budget actions that will increase funding to the County in recognition of the increased costs of providing for the services the County is already providing through its contractual and other formal relationships with the State.

J.K. Problem: Health insurance providers often do not cover services provided to patients receiving treatment services for illnesses caused from or complicated by substance abuse or addictions.

Resolution: Support legislation that would require insurance providers to increase the extent to which services to patients whose conditions are caused or complicated by substance abuse or addiction are included in the scope of coverage.

K.L. Problem: San Luis Obispo County is home to approximately 23,000 veterans. The unique health and human services needs of veterans, particularly as they return home from conflicts, require and deserve important health and human service programs.

Resolution: Support legislation which provides for full funding for veterans' services, including transportation to facilities providing medical services to veterans.

~~**L. Problem:** The increasing demand for services for suspected victims of elder abuse and neglect exceeds the current resources of local government and private non-profit agencies. Funding for the Adult Protective Services (APS) program has not increased since 1999. Yearly increases in the cost of operating the Adult Services Program have led to reductions in our county's ability to investigate allegations of abuse to seniors and dependent adults. In 2006, local APS staff investigated 724 abuse allegations, an increase of 33% over the prior year. APS staff develop service plans to mitigate the abuse and to ensure the health and safety of those individuals. In the first 9 months of 2007, 783 abuse allegations were reported to APS, reflecting a further~~



San Luis Obispo County
2012 Legislative Platform

~~increase in the upward trend of cases. This level of service cannot be maintained if funding levels remain the same.~~

~~**Resolution:** Increase state general fund allocations to enable this county to increase the number of abuse investigators and to expand the duration of case management activities. The cost of two additional staff would be \$320,000 per year. Remove the time limit to case management activities to enable APS staff to remain involved with clients for a longer period of time. In 30% of cases, abuse reoccurred during the year.~~

- M. **Problem:** When adults are discharged from acute care hospitals, there is often no in-home care available to ensure that patients are able to follow doctor's orders, purchase and take medication and otherwise care for themselves.

Resolution: Support legislative efforts to create funding for positions to ensure that discharged hospital patients receive follow-up in home care to ensure that patients are able to comply with medical orders and recommendations and get and take prescribed medications.

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SHARED LEGISLATIVE PRIORITIES
LAW AND JUSTICE

- A. ~~**Problem:** The vehicle license fee increase, as adopted in 2009 to fund critical public safety programs, is going to expire on June 30, 2011. Budget negotiations for the 2010-2011 budget year excluded this extension, and the prospect of extending the sunset was postponed. Given the historically late budgets in recent years, it is critical to public safety to ensure that the extension is approved and enacted separately from any budgeting process, to ensure a continuity of funding.~~

~~**Resolution:** Support legislation to extend the sunset on the vehicle license fee increase in order to provide for a stable and secure source of funding for public safety programs.~~

- A. **Problem:** Current law leads to some confusion as to which county would be the "designated county" with regard to sexually violent predators. Because of the location of Atascadero State Hospital, this confusion increases the workload and cost to San Luis Obispo County. An amendment to Penal Code Section 6601 (a) is needed to eliminate the confusion.



San Luis Obispo County
2012 Legislative Platform

Resolution: Support legislation to amend the penal code, 6601 (a) as follows:
The designated county shall be the county in which the person was last convicted of a sexually violent offense, as defined in this article.

- B. **Problem:** The high cost of transportation and public defender costs for inmates housed at Atascadero State Hospital is largely a responsibility of the County. This is a major issue because the number of cases related to State Hospital patients have increased, and most of these are felony cases.

Resolution: Sponsor and/or support legislation to mandate the State to reimburse San Luis Obispo County for public defender and transportation costs for inmates of Atascadero State Hospital resulting from the inmate being a party to either a criminal or civil trial, as is now done for inmates of state prisons who incur costs for counties.

- C. **Problem:** Employees at Atascadero State Hospital (as well as employees at other state hospitals in California) do not have the same protections as employees at state prisons when it comes to the classification and prosecution of assaults such as "gassing." Due to the lack of punishment or consequence, patients at Atascadero can assault employees without fear of consequence.

Resolution: Seek and support legislation (similar to SB 794, Blakeslee) which provides state hospitals with the statutory and administrative tools to deter employee assaults by patients.

- E.D. **Problem:** Financial Elder abuse, such as identity theft, is a growing problem in California. The state has not allocated resource for controlling this problem area.

Resolution: Support efforts to increase state budget allocations to both criminal justice and human services for controlling the problem of financial elder abuse particularly identity theft in California.

- D-E. **Problem:** A federal three judge panel has ordered the release of approximately 40,000 state prisoners. In order to comply with this order, the Governor and Legislature ~~may administratively and legislatively modify sentencing and release guidelines of adjudicated persons and make other~~ approved a massive public safety realignment in 2011 which shifts many state public safety functions to counties. These changes will ~~changes which could result in~~ significantly impacts on daily jail population rates and result in a commensurate increase in work and calls for service for the Sheriff, District Attorney and Probation Officer in the County.

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San Luis Obispo County
2012 Legislative Platform

Resolution: ~~Oppose legislative and administrative actions that seek to comply with the Federal three judge panel without fully funding County jail expansion and associated costs, and without~~ Seek fully, secure, ongoing and reliable funding any for the increased probation and supervisory responsibilities associated with the 2011 Public Safety realignment, but result in increased County jail populations, increased but unfunded probation and supervisory responsibilities, and other increased county costs.



SHARED LEGISLATIVE PRIORITIES GENERAL GOVERNMENT

B-A. Problem: Current state law is not clear about what happens if a community services district declares bankruptcy.

Resolution: Sponsor and/or support legislation which clearly establishes the process for the continued operation and governance of a community services district that declares bankruptcy.

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C. Problem: ~~Dreissenid mussels, which include Zebra and Quagga Mussels, and other invasive aquatic species, are infiltrating water bodies and being transported throughout the nation by various vectors, including recreational vessels. Invasive aquatic species existence in water bodies poses economic strain on operating agencies by increasing the frequency of maintenance required by water delivery and storage facilities, among other impacts. If invasive aquatic species are introduced into local water bodies, the budgetary and operational consequences will be significant.~~

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Resolution: ~~Support legislative proposals for the prevention, control, education, enforcement, and eradication of dreissenid mussel species and other invasive aquatic species, including those that will specifically enhance prevention and control measures for water bodies within San Luis Obispo County. Encourage the California Department of Fish and Game (CDFG) to reprioritize existing programs and appropriate funding on mussel prevention programs to lakes which are not yet infected. Support the imposition of a fee to be collected specifically for the development of mussel inspection and decontamination stations whereby a permit to launch on an uninfected water body is mandated. Furthermore, if a watercraft leaves a water body that is infected, then a decontamination process must be implemented on the watercraft before it leaves the area.~~

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D-L. Problem: ~~In the past, t~~The State has provided a subvention to counties, most particularly the assessor, to assist in paying for the collection of property taxes. This is an important source of revenue necessary to sustain the property tax program. However, in the final 2005-2006 budget negotiations, the Property Tax Administration Grant program was eliminated. It has not been funded in any subsequent budget.

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San Luis Obispo County
2012 Legislative Platform

Resolution: Support any budget, legislative or executive action to restore funding the property tax administration program, while maintaining Board discretion for final allocation of the funds.

E.M. Problem: The Legislature has approved several bills in recent years to increase the type and number of advance presumptions for illness related to work. This results in increased county costs.

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Resolution: Oppose legislation which would result in increased work-related illness presumptions.

E.N. Problem: In an effort to address abuses in public employee compensation and pension benefit plans, the Legislature has introduced well-meaning but misguided legislation to curb abuses. This legislation would reduce local control and local flexibility to attract the most qualified public servants into county employ.

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Resolution: Support reasonable controls to prevent abuses or egregious behavior by public employees regarding their employment and pension benefits while maintaining maximum local control, flexibility and input into the reforms.

G.O. Problem: On-line travel agencies are actively seeking legislation and judicial remedies to alleviate their obligation to collect and remit all or portions of transient occupancy taxes to the appropriate jurisdictions, most recently in SB 848 (Hollingsworth, 2010), which failed passage.

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Resolution: Oppose any legislation which would reduce or eliminate on-line travel agencies from collecting and remitting transient occupancy taxes to the appropriate local jurisdiction.

H.P. Problem: State agencies authorized to provide sales and property tax exemptions to private businesses are not required and do not, as a matter of practice, notify local agencies, such as the County, of such tax treatment. Because local agencies are also affected by such exemptions, it is extremely important for planning and operations purposes that local affected agencies be notified by the State of any application for beneficial tax treatments for a private business located within the County.

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Resolution: Seek legislative or administrative action which would effectuate notice by the State to local agencies when a business located within the County has applied for a sales tax exemption.



San Luis Obispo County
2012 Legislative Platform

Q. Problem: Counties are required to prepare an annual budget based on a July 1 through June 30 fiscal year per the provisions of the County Budget Act (Section 29000). In this economic climate, it is extremely important for counties to be able to plan for the future by developing multi-year strategies, goals and objectives. By planning beyond one year, programs and projects, such as capital or maintenance projects, can be developed and resources allocated in a more efficient, realistic manner. A two year budget cycle would also save counties money, time and effort in having to prepare a budget annually.

Resolution: Support legislation that would amend Section 29000 of the County Budget Act to allow counties the option of adopting two year budgets.

R. Problem: The Public Library Fund (PLF) is often the first to be cut by the State in balancing the budget.

Resolution: Support the maintenance of State funding for the PLF. Oppose further budget reductions to the PLF.

S. Problem: The proposed FY ~~2011~~~~2012~~ State budget eliminates all transaction based reimbursements (TBR) funds authorized in the California Library Services Act (CLSA). The County Library uses these funds to offset pro rata charges from the Black Gold Cooperative as well as for Literacy Council Subvention. The elimination of these funds would devastate the County's Black Gold Cooperative participation and essentially destroy the Literacy Council.

Resolution: Oppose CLSA funding reduction to county libraries, cooperative public library systems and literacy programs.

T. Problem: There have been attempts by the legislature to regulate the contents of material kept in public libraries.

Resolution: Support the concept of "community standards" as the guiding principle for the content allowed in California's public libraries.

U. Problem: ~~Failure to fully disclose the actual identity and quantity of packaged commodities prohibits accurate value comparison for consumers and promotes unfair business practices among competing manufacturers.~~

Resolution: ~~Support legislation which assures clear labeling and accuracy of the net quantity of packaged products to promote value comparison and to ensure the consumer receives the product and the quantity of product for which they pay.~~

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V. Problem: ~~There have been recent attempts to pass legislation, such as SB 744 (Wyland, 2011), that would remove the authority of state and county sealers to test, verify and seal certain commercial weighing and measuring devices. Such exemptions would eliminate the protection provided by weights and measures officials to consumers and businesses that rely on accurate measurements to ensure proper payment for commodities actually purchased.~~

Resolution: ~~Oppose legislation that would diminish or remove protections now afforded to consumers for transactions based on weighing and measuring devices.~~

W. Problem: ~~Weights and Measures Programs are important to businesses and consumers in California. Weights and Measures Programs ensure there is a "level playing field" for businesses and industries. Likewise, these programs are critical in providing protection for consumers and a method for making value comparisons when products are purchased by weight, measure, count or time. County Sealers must maintain the ability to recover the costs in implementing programs in order to provide protections to both consumers and merchants.~~

Resolution: ~~Support legislation that would extend or eliminate the repeal date in the Business and Professions Code Section 12246 pertaining to Weights and Measures Device Registration Fees and oppose legislation that would prevent the collection of fees up to cost recovery for device testing and registration.~~

X. Problem: ~~The number of invasive pest species being introduced and detected in California is on the rise and these pests continue to threaten local agriculture, the environment and the community. Continued funding of pest exclusion, pest detection trapping and survey activities, rapid response, pest management and eradication, and public education outreach programs are critical in protecting our resources.~~

Resolution: ~~Support legislation that provides funding for pest prevention activities including pest exclusion, pest detection, pest management/eradication and public outreach for pests that threaten local agriculture, the environment and the community.~~

Y. Problem: ~~Pest management and eradication programs are increasingly under review by federal and state agencies, and members of the public. Many projects are under scrutiny related to the biological basis under which they are implemented. Continued funding to evaluate the methods of pest management and eradication is important in ensuring that programs are implemented with~~

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San Luis Obispo County
2012 Legislative Platform

sound, effective practices that provide safety to the environment and the public.

Resolution: Support legislation and/or state and federal programs that would promote biologically based and safe pest management/eradication activities implemented by the California Department of Food and Agriculture and County Agricultural Commissioners.

- Z. Problem:** A major source of funding for County Agricultural Commissioner's Pesticide Use Enforcement programs is the pesticide mill fee imposed on the registrant at the first point of sale of a pesticide in California. In order to maintain the integrity and quality of the pesticide regulatory system, it is critical we support methods to maintain or increase funding through the mill fee assessment.

Resolution: Support legislation that maintains or increases funding through the pesticide mill fee that is sufficient for pesticide regulatory activities to protect the safety of workers, the public and the environment and provides funding for education, outreach and compliance assessment activities related to the safe use of pesticides.

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